

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ANDRE L. COLBORN,

Plaintiff,

v.

Case No. 19-CV-484

NETFLIX, INC.,
CHROME MEDIA, LLC,
f/k/a SYNTHESIS FILMS, LLC,
LAURA RICCIARDI, and
MOIRA DEMOS,

Defendants.

COURT MINUTES OF TELEPHONE SCHEDULING CONFERENCE
REGARDING MEDIATION PROCEEDINGS

HONORABLE WILLIAM E. DUFFIN PRESIDING

DATE: January 19, 2021 at 1:30 p.m.

DEPUTY CLERK: Linda M. Zik

TIME COMMENCED: 1:31 p.m.

TIME CONCLUDED: 1:53 p.m.

ATT Conference

APPEARANCES:

PLAINTIFF: **George Burnett**
 April Rockstead Barker

DEFENDANTS: *Local Counsel for all defendants*
 James A. Friedman

Netflix, Inc.
 Leita Walker
 Matthew E. Kelley

Chrome Media, LLC / Laura Ricciardi / Moira Demos
 Kevin Vick

Settlement Conference set for March 9, 2021 at 9:00 a.m. (CT) via Zoom video conference (all day set aside). The parties should also be available the entire day. Prior to the hearing on:

- (1) **2/16/2021** – plaintiff to submit a written settlement demand to the defendants; it should be a compromise number;
- (2) **2/23/2021** – defendants to respond to plaintiff’s written settlement demand; it should be a compromise number;
- (3) All parties to also include non-monetary terms in their written settlement demands;
- (4) **3/2/2021 by 4:00 p.m. (Central Time)** – each party send to court (not filed):
 - a. Mediation letter not to exceed 5 pages single-spaced setting forth their positions (provide to opposing counsel);
 - b. Separate ex-parte letter that includes facts or information that would be helpful to the court for the mediation hearing (not to opposing counsel);
 - c. Plaintiff’s counsel shall also submit to court the first two initial letters.

An order will issue setting forth these procedures.

COMMENTS:

Attorney James Friedman represents all defendants, but the defendants need to be in separate breakout rooms for mediation

COURT has not viewed the Making a Murderer mini-series.

BURNETT

- No need for court to watch the series; parties can provide pertinent excerpts if they think it is appropriate
- There have been no settlement discussions to date

WALKER

- Parties believe it is important for the fact finder to review the challenged statements in context, but the court is not the fact finder, so is comfortable with the role of a mediator

VICK

- Agrees

COURT

- Opening statements may be given; parties to discuss with each other if they think they will be productive – must be a consensus – let the court know the morning of